



UNITED STATES PATENT AND TRADEMARK OFFICE

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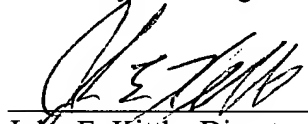
Paper No. 9

|                              |   |                   |
|------------------------------|---|-------------------|
| In re Application of         | : |                   |
| Stuart D. Edwards et al      | : | <i>SUA SPONTE</i> |
| Serial No. : 09/459,385      | : | RESCISSION OF     |
| Filed : December 2, 1999     | : | NOTICE OF         |
| For : RF Treatment Apparatus | : | ABANDONMENT       |

A review of the application reveals that an Office Action was mailed to the applicant on July 20, 2001. On February 14, 2002, a Notice of Abandonment was mailed indicating that the application was being abandoned for failure to file a response to the Office action mailed July 20, 2001. The abandonment of the application was premature given the fact that applicant had filed a response on February 15, 2002. The response included a request for a three-month extension of time and a certificate of mailing dated January 18, 2002.

In view of these facts, the abandonment was clearly premature and is hereby rescinded. The application will be forwarded to the Examiner via the Legal Instruments Examiner for entry and consideration of the response filed February 15, 2002.

Summary: Holding of Abandonment Rescinded.

  
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